

Application GRANTED. The Clerk of Court is directed to terminate the motion at ECF No. 176.

VIA ECF

The Honorable Arun Subramanian
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 15A
New York, NY 10007-1312

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: July 10, 2024

Re: *United States et al. v. Live Nation Entertainment, Inc. et al.*; 1:24-cv-03973-AS
Defendants' Unopposed Letter-Motion for an Extension and Briefing Schedule

Dear Judge Subramanian:

Pursuant to Paragraph 3(E) of Your Honor's Individual Practices in Civil Cases ("Individual Practices"), Defendants Live Nation Entertainment, Inc. and Ticketmaster L.L.C. (together, "Defendants") respectfully ask the Court to extend the time for Defendants to file a responsive pleading or motion in response to the Complaint of Plaintiff United States of America and the States of Arizona, Arkansas, California, Colorado, Connecticut, Florida, Illinois, Maryland, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Washington, West Virginia, Wisconsin, and Wyoming, the Commonwealths of Massachusetts, Pennsylvania, and Virginia, and the District of Columbia (collectively, "Plaintiffs") (ECF No. 4) up to and including September 18, 2024, and enter the briefing schedule outlined below. In support thereof, Defendants state as follows:

The current deadline for Defendants' response to the Complaint is July 22, 2024. There have been no previous requests for adjournment or extension sought or granted in this case.

The Civil Case Management Plan and Scheduling Order permits the parties to file amended pleadings without leave of Court until August 12, 2024. ECF No. 169 at 2. Plaintiffs advised that they intend to amend their Complaint. ECF No. 154 at 2.

During the initial pretrial conference on June 27, 2024, Your Honor invited Defendants to file "a letter to the Court identifying the issues as to which [Defendants] would contemplate moving to dismiss" Plaintiffs' Complaint "as opposed to advancing those arguments after the [Plaintiffs' anticipated] amended complaint is filed." June 27, 2024 Hr'g Tr. 31:8-32:11. Your Honor advised that doing so would provide Defendants "a good argument that those claims should be dismissed with prejudice" "[i]f [Plaintiffs] cannot overcome [Defendants'] arguments on a motion to dismiss." *Id.*

Defendants seek this extension and briefing schedule in response to Your Honor's suggestion that Defendants file a pre-motion letter outlining their anticipated arguments for dismissal and for the sake of increased efficiency in this litigation.

Defendants propose the following briefing schedule: Defendants must file any pre-motion letter in accordance with Individual Practices Paragraph 3(A) no later than July 17, 2024. Plaintiffs

must file any amended complaint no later than August 19, 2024. Defendants must file a responsive pleading or motion in response to the Complaint (or amended complaint, if applicable) no later than September 18, 2024. Plaintiffs must file any opposition to any motion to dismiss within twenty-eight (28) days. Defendants must file any reply in support of any motion to dismiss within fourteen (14) days.

Plaintiffs consent to this extension and the briefing schedule described above.

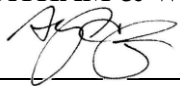
This extension will not affect any other deadlines in this case.

The parties are scheduled to appear before the Court for the final pretrial conference on February 13, 2026 at 11:00 a.m.

Dated: July 9, 2024

Respectfully submitted,

LATHAM & WATKINS LLP


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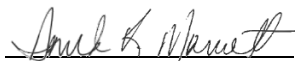
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cc: All Counsel of Record (via ECF)